

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re: : Case No.: 19-24312-GLT
 : Chapter: 13
 Karen Lee Golik :
 :
 :
 Debtor(s). : Date: 9/30/2020
 : Time: 09:00

PROCEEDING MEMO

MATTER: #56 Motion for Relief from Automatic Stay by Bank of America, N.A.
 #65- Response filed by Debtor

#59 - Confirmation of Amended Chapter 13 Plan Dated 9/8/2020

APPEARANCES:

Debtor:	Justin Schantz
Trustee:	Ronda J. Winnecur
BOA:	Kerry Ebeck

NOTES: (9:10)

Court: Have there been any changes since our last hearing?

Winnecur: The only change was a payment on 9/8/2020 of \$1,800.

Schantz: I haven't received any information about a possible renter. Beyond our realtor indicating the Patton Street property to be unsellable, in the property's present state it's also unlivable. That's why we are not focusing on that property.

Court: There is no proof of rental income, is there any proof this is a feasible plan?

Schantz: The only feasible option would be to change the payment amount through LMP.

Court: Has the hazard insurance been settled?

Ebeck: I don't believe so. We haven't heard back from BOA if they would consent to LMP. Mr. Schantz should file the motion and my client can object.

Court: What is the situation with home owner's insurance?

Schantz: It shows it's insured until November 2020.

Ebeck: If there could be an actual declaration page provided, the one that was attached was very unclear. If we can get the hazard insurance issue straightened out that should resolve the motion for relief.

Court: The plan is not feasible. OTSC whether the case should be dismissed and 14 days to file a motion for LMP and a copy of the declaration page circulated within 14 days. If that resolves the motion for relief I expect that motion to be withdrawn. I'll continue these issues to 45 days out.

OUTCOME:

1. Bank of America, N.A.'s *Motion for Relief from Automatic Stay* [Dkt. No. 56] is CONTINUED to November 18, 2020, at 9 a.m. The Debtor shall provide a copy of the declaration page from her homeowner's insurance policy to Bank of America on or before October 14, 2020. [Text Order to Issue]
2. Confirmation of Debtor's *Amended Chapter 13 Plan Dated 9/8/2020* [Dkt. No. 59] is CONTINUED to November 18, 2020, at 9 a.m. To the extent the Debtor seeks relief through the loss mitigation program, she shall file an appropriate motion within 14 days. Otherwise, the Court will deny confirmation of the plan under 11 U.S.C. 1325(a)(5) and (6), and without further Order of Court. [Text Order to Issue]
3. OTSC To Issue as to why the case should not be dismissed or converted due to the Debtor's failure to obtain final confirmation of a plan under 11 U.S.C. 1325 within a reasonable period of time. [Chambers to Issue]

DATED: 9/30/2020